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E-filed on 11/12/09

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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

1. USA CAPITAL REALTY
ADVISORS, LLC,¹

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED
FUND, LLC,²

USA SECURITIES, LLC,³
Debtors.

Case No. BK-S-06-10725-LBR,¹
Case No. BK-S-06-10726-LBR,¹
Case No. BK-S-06-10727-LBR,²
Case No. BK-S-06-10728-LBR,³
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**Stipulation Between the USACM
Liquidating Trust and Marcia Knox**

Date of Hearing: November 13, 2009
Time of Hearing: 9:30 a.m.

Affects:

- ☐ All Debtors
☒ USA Commercial Mortgage Company
☐ USA Capital Realty Advisors, LLC
☐ USA Capital Diversified Trust Deed Fund, LLC
☐ USA Capital First Trust Deed Fund, LLC
☐ USA Securities, LLC

1. Marcia Knox e-filed a letter dated September 26, 2009 (the "Letter"). [DE 7577] The Letter asked the Court to reinstate certain proofs of claim that the Court had disallowed by sustaining USACM Liquidating Trust ("USACM Trust") objections.

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 21, 2007.

1 2. The USACM Trust filed a Response on October 23, 2009. [DE 7679] The
2 Response requested that the Court construe the Letter as a motion to reconsider
3 disallowance of claims under 11 U.S.C. § 502(i) and that the Court hear oral argument on
4 the motion at the November 13, 2009 omnibus hearing.

5 3. The parties have reached an understanding that resolves the matter and they
6 stipulate as follows:

- 7 • The Court's prior rulings related to proofs of claim filed by Ms. Knox will
- 8 remain in full force and effect;
- 9 • Proof of Claim Nos. 10725-01634 in the amount of \$55,266.83 and 10725-
- 10 01635 in an unliquidated amount are based upon an investment in the
- 11 Anchor B Loan. These two claims remain unresolved. When the Trust
- 12 considers the validity of these two claims, it will also consider supporting
- 13 documentation attached to Proof of Claim Nos. 10725-00647, 10725-00648
- 14 and 10725-00649 as though that documentation had been included with
- 15 Proof of Claim Nos. 10725-01634 and 10725-01635;
- 16 • The Court may deny the motion [DE 7577] as moot; and

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Marcia Knox-Knudsen

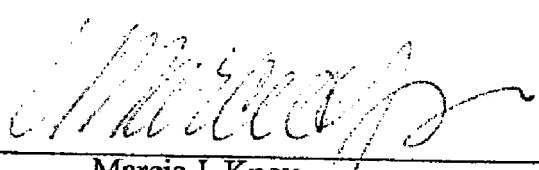
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LEWIS
AND
ROCA
LLP
LAWYERS

- The Court may vacate the hearing on the motion set for November 13, 2009.

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